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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of
Michele Nathaniel
Serial No. 10/685,357
Filed: October 14, 2003
For: HAIR CLIP ASSEMBLY
Group Art Unit: 3732
Examiner: Robyn Doan

AMENDMENT IN RESPONSE TO OFFICE ACTION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

By the Office Action of July 5, 2005, all claims in this application, claims 1-11, were rejected under 35 U.S.C. 103 (a) as being unpatentable over the Patent Application Publication to Winckels, 2005/0039768, in view of various secondary references. With the submission of this Amendment, including the attached Declaration Under 37 C.F.R. 1.131, with Exhibits, and the enclosed Affidavit from Richard Goldstein, it is respectfully submitted that all rejections based on Winckels are overcome as the date of the invention as described in the rejected claims is prior to the effective date of Winckels.

The Winckels patent application publication shows a provisional application filing date of August 11, 2003. However, as confirmed and supported by the enclosed 37 C.F.R. 1.31 Declaration, with supporting Exhibits, the subject matter of the present application was first conceived by the applicant in June, 2002. As described in the Declaration, the applicant initially sought assistance from Advent Product Development, Inc. in July, 2002. After engaging Advent and having a patent search performed, applicant was directed to a registered patent attorney, Richard Goldstein, Esquire. As confirmed in the attached Affidavit from Attorney Goldstein, he diligently prepared the application, with drawings obtained and received from a draftsman in